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CHAPTER 465

CRIMES AND LIABILITIES CONCERNING GAMING

NRS 465.015 Definitions. As used in this chapter:

1. “Cheat” means to alter the elements of chance, method of selection or criteria which determine:
 - (a) The result of a game;
 - (b) The amount or frequency of payment in a game;
 - (c) The value of a wagering instrument; or
 - (d) The value of a wagering credit.
 2. The words and terms defined in chapter 463 of NRS have the meanings ascribed to them in that chapter.
- (Added to NRS by 1981, 1292; A 1993, 830; 1995, 1502)

UNLAWFUL ACTS AND EQUIPMENT

NRS 465.070 Fraudulent acts. It is unlawful for any person:

1. To alter or misrepresent the outcome of a game or other event on which wagers have been made after the outcome is made sure but before it is revealed to the players.
 2. To place, increase or decrease a bet or to determine the course of play after acquiring knowledge, not available to all players, of the outcome of the game or any event that affects the outcome of the game or which is the subject of the bet or to aid anyone in acquiring such knowledge for the purpose of placing, increasing or decreasing a bet or determining the course of play contingent upon that event or outcome.
 3. To claim, collect or take, or attempt to claim, collect or take, money or anything of value in or from a gambling game, with intent to defraud, without having made a wager contingent thereon, or to claim, collect or take an amount greater than the amount won.
 4. Knowingly to entice or induce another to go to any place where a gambling game is being conducted or operated in violation of the provisions of this chapter, with the intent that the other person play or participate in that gambling game.
 5. To place or increase a bet after acquiring knowledge of the outcome of the game or other event which is the subject of the bet, including past-posting and pressing bets.
 6. To reduce the amount wagered or cancel the bet after acquiring knowledge of the outcome of the game or other event which is the subject of the bet, including pinching bets.
 7. To manipulate, with the intent to cheat, any component of a gaming device in a manner contrary to the designed and normal operational purpose for the component, including, but not limited to, varying the pull of the handle of a slot machine, with knowledge that the manipulation affects the outcome of the game or with knowledge of any event that affects the outcome of the game.
 8. To offer, promise or give anything of value to anyone for the purpose of influencing the outcome of a race, sporting event, contest or game upon which a wager may be made, or to place, increase or decrease a wager after acquiring knowledge, not available to the general public, that anyone has been offered, promised or given anything of value for the purpose of influencing the outcome of the race, sporting event, contest or game upon which the wager is placed, increased or decreased.
 9. To change or alter the normal outcome of any game played on an interactive gaming system or the way in which the outcome is reported to any participant in the game.
- [1911 C&P § 198; RL § 6463; NCL § 10146] + [1911 C&P § 199; RL § 6464; NCL § 10147]—(NRS A 1967, 587; 1977, 477; 1979, 1476; 1981, 1292; 1987, 414; 1989, 1112; 2001, 3095)

NRS 465.075 Use of device for calculating probabilities. It is unlawful for any person at a licensed gaming establishment to use, or possess with the intent to use, any device to assist:

1. In projecting the outcome of the game;
 2. In keeping track of the cards played;
 3. In analyzing the probability of the occurrence of an event relating to the game; or
 4. In analyzing the strategy for playing or betting to be used in the game,
- except as permitted by the commission.

(Added to NRS by 1985, 970)

NRS 465.080 Use of counterfeit, unapproved or unlawful wagering instruments; possession of certain unlawful devices, equipment, products or materials.

1. It is unlawful for any licensee, employee or other person to use counterfeit chips, counterfeit debit instruments or other counterfeit wagering instruments in a gambling game, associated equipment or a cashless wagering system.

2. It is unlawful for any person, in playing or using any gambling game, associated equipment or cashless wagering system designed to be played with, receive or be operated by chips, tokens, wagering credits or other wagering instruments approved by the state gaming control board or by lawful coin of the United States of America:

(a) Knowingly to use other than chips, tokens, wagering credits or other wagering instruments approved by the state gaming control board or lawful coin, legal tender of the United States of America, or to use coin or tokens not of the same denomination as the coin or tokens intended to be used in that gambling game, associated equipment or cashless wagering system; or

(b) To use any device or means to violate the provisions of this chapter.

3. It is unlawful for any person, not a duly authorized employee of a licensee acting in furtherance of his employment within an establishment, to have on his person or in his possession on or off the premises of any licensed gaming establishment any device intended to be used to violate the provisions of this chapter.

4. It is unlawful for any person, not a duly authorized employee of a licensee acting in furtherance of his employment within an establishment, to have on his person or in his possession on or off the premises of any licensed gaming establishment any key or device known to have been designed for the purpose of and suitable for opening, entering or affecting the operation of any gambling game, cashless wagering system or drop box, or any electronic or mechanical device connected thereto, or for removing money or other contents therefrom.

5. It is unlawful for any person to have on his person or in his possession any paraphernalia for manufacturing slugs. As used in this subsection, "paraphernalia for manufacturing slugs" means the equipment, products and materials that are intended for use or designed for use in manufacturing, producing, fabricating, preparing, testing, analyzing, packaging, storing or concealing a counterfeit facsimile of the chips, tokens, debit instruments or other wagering instruments approved by the state gaming control board or a lawful coin of the United States, the use of which is unlawful pursuant to subsection 2. The term includes, but is not limited to:

(a) Lead or lead alloys;

(b) Molds, forms or similar equipment capable of producing a likeness of a gaming token or United States coin;

(c) Melting pots or other receptacles;

(d) Torches;

(e) Tongs, trimming tools or other similar equipment; and

(f) Equipment which can be reasonably demonstrated to manufacture facsimiles of debit instruments or wagering instruments approved by the state gaming control board.

6. Possession of more than one of the devices, equipment, products or materials described in this section permits a rebuttable inference that the possessor intended to use them for cheating.

[1:239:1951; A 1955, 13] + [2:239:1951]—(NRS A 1965, 1467; 1967, 588; 1973, 445; 1977, 475; 1979, 1477; 1981, 1293; 1989, 971; 1991, 939; 1993, 830; 1995, 1502)

NRS 465.083 Cheating. It is unlawful for any person, whether he is an owner or employee of or a player in an establishment, to cheat at any gambling game.

(Added to NRS by 1967, 1282; A 1969, 408; 1977, 325; 1979, 1478; 1981, 1294)

NRS 465.085 Unlawful manufacture, sale, distribution, marking, altering or modification of equipment and devices associated with gaming; unlawful instruction.

1. It is unlawful to manufacture, sell or distribute any cards, chips, dice, game or device which is intended to be used to violate any provision of this chapter.

2. It is unlawful to mark, alter or otherwise modify any associated equipment or gaming device, as defined in chapter 463 of NRS, in a manner that:

(a) Affects the result of a wager by determining win or loss; or

(b) Alters the normal criteria of random selection, which affects the operation of a game or which determines the outcome of a game.

3. It is unlawful for any person to instruct another in cheating or in the use of any device for that purpose, with the knowledge or intent that the information or use so conveyed may be employed to violate any provision of this chapter.

(Added to NRS by 1967, 1283; A 1975, 697; 1977, 386; 1979, 1478; 1981, 1294; 1989, 972)

NRS 465.088 Penalties for violation of NRS 465.070 to 465.085, inclusive.

1. A person who violates any provision of NRS 465.070 to 465.085, inclusive, is guilty of a category B felony and shall be punished:

(a) For the first offense, by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, or by a fine of not more than \$10,000, or by both fine and imprisonment.

(b) For a second or subsequent violation of any of these provisions, by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, and may be further punished by a fine of not more than

\$10,000. The court shall not suspend a sentence of imprisonment imposed pursuant to this paragraph, or grant probation to the person convicted.

2. A person who attempts, or two or more persons who conspire, to violate any provision of NRS 465.070 to 465.085, inclusive, each is guilty of a category B felony and shall be punished by imposing the penalty provided in subsection 1 for the completed crime, whether or not he personally played any gambling game or used any prohibited device.

(Added to NRS by 1981, 1292; A 1985, 970; 1995, 1295)

NRS 465.090 Unlawful dissemination of information concerning racing; exemptions; penalty.

1. It is unlawful for a person to furnish or disseminate any information in regard to racing or races, from any point within this state to any point outside the State of Nevada, by telephone, telegraph, teletype, radio or any signaling device, with the intention that the information is to be used to induce betting or wagering on the result of the race or races, or with the intention that the information is to be used to decide the result of any bet or wager made upon the race or races.

2. This section does not prohibit:

(a) A newspaper of general circulation from printing and disseminating news concerning races that are to be run or the results of races that have been run; or

(b) The furnishing or dissemination of information concerning wagers made in an off-track pari-mutuel system of wagering approved by the Nevada gaming commission.

3. A person who violates the provisions of this section is guilty of a category B felony and shall be punished by imprisonment in the state prison for a minimum term of not less than 1 year and a maximum term of not more than 6 years, or by a fine of not more than \$5,000, or by both fine and imprisonment.

[1:134:1941; 1931 NCL § 6225] + [2:134:1941; 1931 NCL § 6225.01]—(NRS A 1967, 588; 1979, 1478; 1989, 711; 1995, 1296)

TRANSACTION OF WAGERS THROUGH MEDIUMS OF COMMUNICATION

NRS 465.091 “Medium of communication” defined. As used in NRS 465.091 to 465.094, inclusive, unless the context otherwise requires, “medium of communication” includes, but is not limited to, mail, telephone, television, telegraph, facsimile, cable, wire, the Internet or any other similar medium.

(Added to NRS by 1997, 3318)

NRS 465.092 Accepting, receiving or allowing another to accept or receive wager from person physically present in this state prohibited under certain circumstances; penalty.

1. Except as otherwise provided in NRS 465.094, a person, alone or with others, shall not knowingly, within or outside of this state:

(a) Accept or receive, directly or indirectly, through any medium of communication a wager from another person who is physically present within this state; or

(b) Allow a lessee, agent or employee to accept or receive, directly or indirectly, through any medium of communication a wager from another person who is physically present within this state.

2. If a person engages in conduct in violation of subsection 1 and the person is outside of this state at the time of the offense:

(a) The offense shall be deemed to commence outside of this state;

(b) The offense shall be deemed to be consummated within this state; and

(c) The person may be prosecuted within this state pursuant to the provisions of NRS 171.015.

3. A person who violates the provisions of this section is guilty of a misdemeanor.

(Added to NRS by 1997, 3318)

NRS 465.093 Placing, sending, transmitting or relaying wagers to another person prohibited under certain circumstances; penalty.

1. Except as otherwise provided in NRS 465.094, a person, alone or with others, shall not knowingly:

(a) From within this state, place, send, transmit or relay through a medium of communication a wager to another person or an establishment that is located within or outside of this state; or

(b) From outside of this state, place, send, transmit or relay through a medium of communication a wager to another person or an establishment that is located within this state.

2. A person who violates the provisions of this section is guilty of a misdemeanor.

(Added to NRS by 1997, 3319)

NRS 465.094 Limitation on applicability of NRS 465.092 and 465.093. The provisions of NRS 465.092 and 465.093 do not apply to a wager placed by a person for his own benefit or, without compensation, for the benefit of another that is accepted or received by, placed with, or sent, transmitted or relayed to:

1. A race book or sports pool that is licensed pursuant to chapter 463 of NRS, if the wager is accepted or received within this state and otherwise complies with all other applicable laws and regulations concerning wagering;

2. A person who is licensed to engage in off-track pari-mutuel wagering pursuant to chapter 464 of NRS, if the wager is accepted or received within this state and otherwise complies with subsection 3 of NRS 464.020 and all other applicable laws and regulations concerning wagering; or

3. Any other person or establishment that is licensed to engage in wagering pursuant to Title 41 of NRS, if the wager is accepted or received within this state and otherwise complies with all other applicable laws and regulations concerning wagering.
(Added to NRS by 1997, 3319)

MISCELLANEOUS

NRS 465.101 Detention and questioning of person suspected of violating chapter; limitations on liability; posting of notice.

1. Any licensee, or his officers, employees or agents may question any person in his establishment suspected of violating any of the provisions of this chapter. No licensee or any of his officers, employees or agents is criminally or civilly liable:

(a) On account of any such questioning; or

(b) For reporting to the state gaming control board or law enforcement authorities the person suspected of the violation.

2. Any licensee or any of his officers, employees or agents who has probable cause for believing that there has been a violation of this chapter in his establishment by any person may take that person into custody and detain him in the establishment in a reasonable manner and for a reasonable length of time. Such a taking into custody and detention does not render the licensee or his officers, employees or agents criminally or civilly liable unless it is established by clear and convincing evidence that the taking into custody and detention are unreasonable under all the circumstances.

3. No licensee or his officers, employees or agents are entitled to the immunity from liability provided for in subsection 2 unless there is displayed in a conspicuous place in his establishment a notice in boldface type clearly legible and in substantially this form:

Any gaming licensee, or any of his officers, employees or agents who has probable cause for believing that any person has violated any provision of chapter 465 of NRS prohibiting cheating in gaming may detain that person in the establishment.

(Added to NRS by 1971, 580; A 1973, 446; 1981, 1295; 1983, 564)

NRS 465.110 Disposition of evidence seized by agent of state gaming control board.

1. After the final adjudication of a complaint involving a violation of this chapter or chapters 462 to 464, inclusive, of NRS, or of any other complaint involving the seizure of evidence by an agent of the board, the court may enter an appropriate order disposing of all physical evidence pertaining to the complaint, whether or not the evidence was introduced as an exhibit.

2. Except as otherwise provided in subsection 3, evidence seized by an agent of the board which does not result in a complaint charging a violation of the law and evidence for which an order of disposition is not entered pursuant to subsection 1, must be disposed of as follows:

(a) The board shall notify by certified mail each potential claimant of the evidence that he has 30 days after receipt of the notice within which to file a written claim with the board for return of the evidence.

(b) If more than one person files a claim for the evidence:

(1) The claimants may agree among themselves as to how they wish to divide the evidence, subject to the approval of the board;

(2) The claimants may agree to submit the matter to binding arbitration or any claimant may institute legal proceedings to determine the proper disposition of the evidence; or

(3) The board may file an action as an interpleader pursuant to N.R.C.P. 22 to determine the rightful claimant.

The board shall transfer the property to the claimants in accordance with any agreement approved by the board, final judgment or award made pursuant to the provisions of this section.

(c) A person who receives property from the board pursuant to this section shall execute such documents as are required by the board to defend, hold harmless, indemnify and release the board from any liability arising from the delivery of the property to the claimant.

(d) If no claim is submitted, the board shall deposit all money in the state treasury for credit to the state general fund and may use all other property for any lawful purpose. The board may dispose of any property which cannot be used for any lawful purpose in the manner provided in NRS 179.165.

3. Evidence which constitutes a device for cheating may not be returned to a claimant and must be retained by the board. The board shall periodically destroy such devices in the manner provided by regulations adopted by the commission.

(Added to NRS by 1987, 414; A 1989, 972; 1991, 1080)